

REMARKS/ARGUMENTS

The Office Action mailed March 27, 2007 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

The specification has been amended to correct minor editorial matters. No new matter has been added.

Claims 1, 30, 55 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the specification, page 15, lines 2-5, page 24, lines 1-3, and page 34, lines 16-20. No new matter has been added.

Record of Interview

On June 25, 2007, an interview was conducted by telephone between Examiner Dat Nguyen, Examiner Robert Pezzuto, and Adrienne Yeung, Reg. No. 44,000. Applicants thank the Examiners for granting this interview. The §103 rejection and combination of prior art references were discussed. No resolution was reached. The examiner suggested clarifying the “simulation of a game presentation” to indicate it is a simulation of an entire game of chance.

The 35 U.S.C. §103 Rejection

Claims 1-15, 30-44, 55-61 and 62-69 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Walker et al. (U.S. Pat. No. 6,110,041) in view of Walker et al. (U.S. Pat. No. 6,077,163) and Microsoft®Windows®95, among which claims 1, 30 and 55 are independent claims. This rejection is respectfully traversed.

Specifically, the office action contends, with regard to independent claims 1, 30, and 55 that the elements of the presently claimed invention are disclosed in Walker ‘041 except that Walker ‘041 does not teach “a simulated game presentation, wherein the simulated game presentation is for allowing a user to determine the effects of different game feature settings on the game presentation prior to initiating wagering game play on the gaming machine wherein the wager is not required to view the simulated game presentation.”

The office action cites Microsoft®Windows®95 (Windows) as teaching the above feature and states that “a user is able to change the display properties on the display to their own preferences. The display shows the pattern, background, wallpaper, or screen saver selected by the user prior to actually saving the setting in order [to] view how the pattern, background, wallpaper, or screen saver will actually look on the screen. ... It would have been obvious to one having ordinary skill in the art, at the time of the applicant’s invention, to incorporate features taught by Microsoft®Windows®95 [into] Walker’s gaming machine. One would be motivated to do so in order to see how the player selected preferences will look on the screen prior to actually saving the player selected preference.” Applicant’s respectfully disagree for the reasons, among others, discussed below.

Claims 1, 30, and 55 have been amended to recite “a user interface configured ... to display a simulated game presentation of an entire game of chance available for wagering game play on the gaming machine” The Specification provides that the “a simulation of a game presentation using the game feature setting selected in 49 may be presented in window 68. In 68, the game simulation may allow the user to see different graphics implemented in a game presentation, hear different types of music and determine the functions of different input buttons on the gaming machine. ... The game presentations may be modified according to one or more preference options selected by the player. The game presentations simulated via the interface may allow a player to assess how various selected preference options will affect their game playing experience.” (Specification, page 15, lines 2-5 and page 34, lines 16-20). Thus, the simulated game presentation is a simulated game play of an entire game of chance that simulates different game feature settings such as the graphics, type of music, and the like and not just individual features or parts of the game of chance.

Walker does not teach or suggest the simulated game presentation of an entire game of chance or determining the effects of game feature settings prior to initiating wager game play. Nor does Walker describe any need to determine the effects of different game feature settings on the game presentation prior to initiating wagering game play on the gaming machine. The Windows reference does not mention or suggest in any manner the simulated game presentation of an entire game of chance, game presentations of any type, wagering game play of any type or determining the effects of game feature settings prior to initiating wager game play. The Windows reference merely shows “how a pattern or wallpaper will look on your screen. To preview a pattern or wallpaper, click on its name in the Pattern or Wallpaper list”. (Windows,

page 12). The Windows reference does not perform any simulation of any kind, much less a simulated game play of an entire game of chance. Rather, Windows merely illustrates a single feature (ie. a single pattern or wallpaper) and not a simulation of an entire game of chance to determine the effects of different game feature settings.

The Office Action further states: "Applicant requests the examiner to cite where, in the prior art references, the suggestion to combine the reference to obtain 'a simulated game presentation of a game of chance available for wagering game play on the gaming machine' may be found. The examiner has not indicated any reliance on the references for the motivation to combine, but rather relies on what is believed to the knowledge generally available to one of ordinary skill in the art at the time of invention to modify the reference." Thus, Applicant assumes that the Office Action intended to take official notice of facts under M.P.E.P. 2144.03 that the rationale supporting the obviousness rejection is based on common knowledge in the art or "well-known" prior art. Under M.P.E.P. 2144.03, "[i]f the applicant traverses such an assertion the examiner should cite a reference in support of his or her position." Applicant hereby traverses the assertion and requests that a reference be cited in support of the position outlined in the Office Action.

Accordingly, it is respectfully requested that since the combination of Walker and Windows does not teach all the claims, it can not be said the render the claimed invention obvious. It is respectfully requested that this rejection be withdrawn. In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Dependent Claims

Claims 2-29, 31-54, and 56-69 depend from independent Claims 1, 30, or 55. Thus, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable at least for the same reasons.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No.IGT1P026).

Respectfully submitted,
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